

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 16, 1964  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND JOHN BARCLAY, Central Christian Church.

MAYOR PALMER expressed appreciation to Reverend Barclay in his recognizing the public servants. The Mayor stated so many times no recognition is made of the public employees when they do an exceptionally good job, and it is always appreciated hearing someone commend MR. WILLIAMS and his staff. All in Austin should be very proud of the City in the way it has been handled.

MAYOR PALMER announced the honor of having PROFESSOR BALRAJ MADHOK, Head of the History Department of Delhi University in New Delhi, India, as a visitor. MISS EUNICE PARKER introduced PROFESSOR MADHOK and his host DR. TATWAWADI. PROFESSOR MADHOK said he was personally impressed by the Invocation and the beginning of the work with the blessing of God which is Father of all; that it gave the feeling of "oneness" and of humility which is important. It is with humility that men become deserving; and it is with that spirit that public work can be done. He said his main purpose for coming to the United States was to meet people and understand them and to do something to strengthen the understanding between the two countries. He said this Country was the greatest democracy in the world; his was the biggest. The two countries believed in common objectives, liberty and dignity of the man and freedom. These two countries must go together if the world must be saved. He said they were grateful to this Country for the kind help it had given India. He hoped the time would come when the two countries which believe in the same objectives will become leaders for defense and security and freedom of the people.

Councilman LaRue moved that MRS. NORA A. PALMER Superintendent, Tuberculosis Hospital, be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MRS. PALMER presented the Council with a basket of home grown peaches.

MAYOR PALMER publicly thanked MR. ROD KENNEDY for making the Music Festival available to the public at the Hillside Theater at Zilker Park, and stated the crowd ran between 4 to 6,000 the first night.

Councilman Long moved that MR. ROD KENNEDY be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. KENNEDY stated they had joined with the Recreation Department, the Council, and Chamber of Commerce and other responsible citizens who believe tourism and the broadening of the cultural horizons are good for the community. He stated six free concerts were being presented this week. Total attendance had passed the 10,000 mark on the third night. He extended an invitation to the members of the Council and staff personally to attend particularly this night's concert. Local people will be the entertainers, with the Festival Stage Band led by KAL KALLODAY. Copies of the Brochure on the Festival were distributed. Mayor Palmer stated the Council applauds him in putting on this program.

Councilman White moved that the Minutes of the Meeting of July 2, 1964, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 18.13 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES MITCHELL SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Balcones West, Section 2)

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 31.99 ACRES OF LAND OUT OF THE J.A.G. BROOKE SURVEY, IN TRAVIS COUNTY TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Riverbend at University Hills, Sections 3-A, 3-B and 3-C; and unplatted land)

Councilman LaRue moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing at 10:30 A.M., July 30, 1964. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced it was 10:30 A.M. and the hearings were open on ordinances annexing the following:

17.53 acres of land out of the Henry P. Hill League - Proposed BARTON TERRACE, SECTION 3; a portion of CROWELL SUBDIVISION; a portion of PINCKNEY SUBDIVISION; and unplatted land;

16.34 acres of land out of the James P. Wallace Survey No. 57 - CAMERON PARK, SECTION 2;

20.13 acres of land out of the J. C. Tannehill League - Proposed STONE GATE ADDITION.

No one appeared to be heard. Councilman LaRue moved that the hearings be closed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Hearings were opened on ordinances annexing the following:

39.33 acres of land out of the James Trammel Survey No. 4 - Proposed WESTERN TRAILS ESTATES and unplatted land.

4.27 acres of land out of the James Trammel Survey No. 4 - Proposed WESTERN TRAILS, SECTION 9.

The City Attorney explained this area lay in the jurisdiction that overlapped between the City and Sunset Valley; and the City of Austin had executed a contract with that City, which had indicated a willingness to execute such a contract. To date, the City of Sunset Valley has not signed the contract, and individual property owners have been required to go to Sunset Valley on an

individual basis for approval. No approval has been received on these two areas. The Council took no action on WESTERN TRAILS ESTATES and unplatted land, and WESTERN TRAILS, SECTION 9.

Mayor Palmer brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 17.53 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Barton Terrace, Section 3; a portion of Crowell Sub-division; and unplatted land.)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: Councilman Long

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: Councilman Long

Mayor Palmer brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.34 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Cameron Park, Section 2)

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 20.13 ACRES OF LAND OUT OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Stone Gate Addition)

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Mr. Royce Faulkner for a building permit together with a site plan dated July 14, 1964 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2402 Rio Grande, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of an addition to an existing duplex the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is ten (10) parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That ten (10) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Mr. Royce Faulkner dated July 14, 1964, for use of the premises for the purpose of an addition to an existing duplex.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of R. F. Faickney for a building permit together with a site plan dated July 14, 1964 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2400 Oldham Street, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of erecting a four unit apartment house the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is nine (9) parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That nine (9) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Mr. R. F. Faickney dated July 14, 1964, for use of the premises for the purpose of erecting a four unit apartment house.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Dick Danko for Devereux Schools, Inc. as described in the Travis County Deed Records and on the attached memorandum, and hereby authorizes the said Dick Danko to construct, maintain and operate this boat dock subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing it is found by the City Council that the said Dick Danko has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendation attached)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Dick Danko for Devereux Schools, Inc. owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as "the southerly bank of Lake Austin, said

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location being on the lake-frontage presently owned by W. St John Garwood and wife, Ellen C. Garwood, in the A. Ritcherson (or Ritcheson) Survey 12, the said location being at a point which lies in a northeasterly direction, along the bank of Lake Austin from the most northerly or northeasterly corner of Lot 60, Bruton Springs, a subdivision of a portion of the Thomas Bird Survey in Travis County, Texas, as recorded in Plat Book 2, page 238, of the Deed Records of said county, the distance between said last mentioned subdivision-corner and the location of the proposed dock being approximately 32 feet measured in a north-easterly direction from said subdivision-corner". The construction details meeting all requirements, I recommend that if Dick Danko is granted his request by the City Council that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and waterpressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,  
s/ Dick T. Jordan  
Dick T. Jordan  
Building Official"

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council had under consideration recommendations from the Building Standards Commission on substandard housing. After study, the Council sustained the recommendations of the Building Standards Commission as follows:

Structure at 600 West Powell Lane - That the owner be given 90 days from July 14, 1964, to repair this structure and if not repaired within 90 days he must demolish the structure; that if he does not demolish, the City take such legal means as are available to the City to see that the structure is demolished; that he must clear the lot of grass and debris within 30 days from July 14, 1964, and if he does not the City shall have the

- authority to remove the grass and weeds and the cost thus incurred shall constitute a valid and enforceable lien against the property.

Councilman Long moved that the Council accept the recommendation of the Building Standards Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Structure at 610 Montopolis Drive - That the structure on the property (S. Y. Hamilton) be demolished by private contract or through an agency of the City immediately.

Councilman Long noted the recommendations usually gave a person 30 days to comply. The Building Official reported MRS. HAMILTON had discussed this with Mr. Youngblood, a member of the Committee and had said she would rather have the City go ahead and tear the structure down. Councilman Long moved that the Council accept the recommendation of the Building Standards Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Structure at 411 West Monroe - That the owner be given notice that the structure be demolished either by private contract or through an agency of the City and if he fails to do so that the City demolish the structure and the costs incurred shall constitute a valid and enforceable lien against the property.  
(Ted Wendlandt)

Councilman Long moved that the Council accept the recommendation of the Building Standards Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 640528-D SO THAT THE LAND DESCRIPTION IN PART 5 OF SAID ORDINANCE CORRECTLY DESCRIBES THE LAND LOCALLY KNOWN AS 1426-1502 BEN WHITE BOULEVARD, SAID PRESENT DESCRIPTION, BECAUSE OF CLERICAL MISTAKE, ERRONEOUSLY DESCRIBING THE LAND INTENDED TO BE AFFECTED THEREBY; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CORRECTION HEREIN ORDERED; SUSPENDING THE RULE REQUIRING READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that circumstances are such that the maximum reasonable and safe speed for the operation of vehicles is more than thirty miles per hour at the following location; and,

WHEREAS, after investigation, the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is fifty miles per hour at the following location, to wit:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
East 19th Street	Airport Boulevard	East City Limits

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

BE IT FURTHER RESOLVED:

That the City Clerk be authorized and instructed to mark as deleted from Section 33.39 of the Traffic Register the entry made prior to this date establishing a forty-five (45) mile per hour zone on East 19th Street from Airport Boulevard to the East City Limits.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman LaRue moved that the Council set 11:00 A.M., July 23rd as the time to hear MR. JOE B. McQUEEN discuss boating safety on Lake Austin, at his request. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman Long suggested that some members of the Navigation Board be present at this hearing, and that the Chairman of the Board be notified.

Councilman LaRue moved that MR. FRANKLIN DENIUS, Attorney for Southern Union Gas Company, be heard. The motion was seconded by Councilman Long, Roll call showed a unanimous vote.

MR. DENIUS distributed copies of a letter with a schedule "Additional Revenue Required to Offset Increase in Purchased Gas Costs" attached. In the letter which Mr. Denius read, Mr. Dan Crowley pointed out the present contract with United called for periodic redetermination of the City gate rate price to be paid by Southern Union. In September, 1963, Southern Union was advised by United Gas Company that it considered 34¢ per mcf as the proper price. Arbitrators were then appointed; and as a result of the Board of Arbitrators, the City gate price to be paid by Southern Union to United had been increased from 17¢ to 19.5¢ instead of the 34¢. Because of the increase in the price which Southern Union must pay under the Arbitrators' award and the effect which must be given to differences in measurement pressures and relevant increase in the gross receipts taxes payable to the City and State, Southern Union was asking to adjust the price to the Austin customers by 3.026¢. Without this requested adjustment the company's return would be substantially less than the rate of return of 6.2% authorized by the Council in 1962. He listed items that were considered in the study which arrived at the figure of 3.026¢. It was stated in the letter Austin would still have a favorable wholesale gate rate price as compared to other cities, and this price is reflected in the level of the adjusted retail rates. Southern Union would not seek any increase in rates over and above the upward adjustment of 3.026¢ per mcf to cover the higher gas supply cost. SOUTHERN UNION GAS COMPANY asked consideration of the requested adjustment. MR. DENIUS stated when this comes before the Council additional information would be submitted. He explained the net increase would be about 2.9% plus the 2% gross receipts and franchise tax on that money and the State gross receipts tax of 1.9%. He stated the effect on an average residential customer's bill would be about a 19¢ increase per month. Mayor Palmer stated the Council would look this information over carefully and make a decision on it. Councilman Long asked for additional information--rather than the figures on the mcf basis, she wanted an interpretation of how much Southern Union Gas Company would make in dollars and cents; how much it is paying in taxes and how much it received in the income tax reduction. Mr. Denius stated they were ready to supply this information or any other information the Council might ask for at any time. Councilman Long stated this would call for a public hearing as it was in the nature of a rate increase. Mr. Denius said since February the Company had been advising the Council of the

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arbitration proceedings and had been compiling information that the Council would need. Councilman Shanks congratulated Mr. Denius in keeping United Gas Company from charging more than they did or could have.

Councilman Long moved that the Council grant MR. and MRS. LEON MALKIN, at their request, permission to withdraw the following zoning application;

MR. & MRS. LEON MALKIN	812-814 West 12th Street	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area NOT Recommended by the Planning Commission
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The motion, seconded by Councilman IaRue, carried by the following vote:  
Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

H. T. BAKER	410 Pampa Drive	From "A" Residence 1st Height & Area
By George T. Wall	Additional Area	To "C" Commercial 1st Height & Area NOT Recommended by the Planning Commission RECOMMENDED "GR" General Retail
	412 Pampa Drive	

Councilman White moved that the change be granted to "GR" General Retail and include the additional area as recommended by the Planning Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. C. BROWN	2100-2116 South 5th St. 1001-1013 Brodie Street	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "B" Residence be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. B. SMITH, SR. By M. B. Braswell	Rear of 7019-7109 Lamar Boulevard	From "D" Industrial To "C-1" Commercial
	Rear of 6946-6970 Airport Boulevard	RECOMMENDED by the Planning Commission

Councilman Shanks moved that the change to "C-1" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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HAROLD HICKS By John D. Reed	2318-2328 South Congress Avenue	From "C" Commercial 2nd Height & Area
	2319-2329 College Avenue	To "C-1" Commercial 2nd Height & Area
		RECOMMENDED by the Planning Commission

Councilman White moved that the change to "C-1" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOSEPH W. BROWN, SR. By Paul D. Jones	2705-2707 Hancock Drive	From "A" Residence To "C" Commercial
		NOT RECOMMENDED by the Planning Commission
		RECOMMENDED "IR" Local Retail

Councilman Long moved that the change to "IR" Local Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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The Mayor announced that the change had been granted to "IR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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KARL B. WAGNER By Bryant-Curington, Inc.	8700-8842 Research Blvd. 1901-1931 Peyton Gin Rd. 1700-1762 Ohlen Road	From "A" Residence 1st Height & Area To "GR" General Retail 5th Height & Area RECOMMENDED except for 100' strip which was recommended "O" Office 5th Height & Area
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MR. DANIEL LAZICKI made inquiry as to what was being accomplished by this change. The Mayor explained the "GR" General Retail zoning and said plans were for a shopping center. Also there was recommended a 100' buffer strip off of Ohlen Road a distance back from the Highway 160' which would have "O" Office zoning. Councilman Shanks moved that the Council grant the requested zoning as recommended. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 5th Height and Area except for a 100' strip which was changed to "O" Office 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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LELAND R. WILSON	3101-3103 Walnut Avenue 2700-2704 Manor Road Additional Area Tract 1: 2608-2612 Manor Road 3100-3104 Walnut Avenue Tract 2: 2706-2710 Manor Road 3200-3202 Larry Lane	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area NOT Recommended by the Planning Commission RECOMMENDED "B" Residence 1st Height & Area
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Mr. Wilson stated he applied for only his property, and the additional property was included. He was interested in his property only. He wanted to build a 14 unit apartment. The Planning Director explained the requested zoning would be too intensive. Manor Road is too narrow and the traffic is increasing. He stated the Commission thought it desirable that the balance of the property be changed back to "B" Residence 1st Height and Area rather than to be continued as "B" Residence 2nd Height and Area. After discussion, Councilman Long moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "B" Residence 2nd

Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MILO WEAVER  
By Robert C. Sneed

1512-1600 West 38th  
Street

From "A" Residence  
To "O" Office  
NOT Recommended by the  
Planning Commission

MR. SNEED representing the applicant said Mr. Weaver had entered into a contract to sell this property to Dr. Bates who proposes to use it as an office building site in connection with the development, which the area contemplates. The question was the right of way, and the amount. Now since it has been determined that 20' of land from the frontage would be needed for widening, Mr. Sneed filed a letter from Dr. Bates dedicating the required 20' stating the deed would be delivered simultaneously with the passage of the ordinance. Councilman Long moved that the Council grant the requested change subject to the deed's being in the hands of the City Attorney at the time of the passage of the ordinance. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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EDWIN H. GOLDEN

3907-4015 Wadford  
118-128 Ben White Blvd.

From "A" Residence  
To "C" Commercial  
NOT Recommended by the  
Planning Commission

MR. GOLDEN appeared in his own behalf, stating the question of widening and extending Wadford Street was raised on this commercial zoning. The Director of Planning stated the property in the area would be developed as commercial or for apartment houses. As to the widening of Wadford Street, the Planning Commission recommended 60' which would require 20' additional right of way. The Council wanted to go look at this property. Later in the afternoon meeting, the Planning Director stated five feet would be needed from the north part of the property and 10' from the south end of the property; and when that dedication is made, a 50' street width would be established. An additional 10' on the west side would need to be dedicated. Councilman Long moved that the Council grant this zoning on Wadford Street and Ben White Boulevard to "C" Commercial, and that the letter or whatever instrument needed to dedicate the required right of way be accepted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial

and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHESTER BROOKS

3001-3003 East 12th Street  
1197 Harvey Street

From "C" Commercial  
To "C-1" Commercial  
NOT Recommended by  
the Planning  
Commission

MR. BROOKS represented himself, stating he was operating two other drive-in grocery stores with permits for wine and beer to go. He was aware of the strict regulations on the sale of these alcoholic beverages, and stated there were hundreds of drive-in groceries in this category; and in no single instance were any creating a nuisance. With the competition in this neighborhood it would be very hard to exist in his location without the permission to sell beer to go. He said the petition in opposition had to do with the distance from his place to the Church, but the distance had been checked out to 304'. Opposition was expressed by MR. THEODORE DAVIS, who stated a petition was filed representing 98% of the property owners near this property. MR. H. L. GAINES opposed as there are few places in the area where nice homes could be found. At the time they bought in McKinley Heights, there was a grocery store where Mr. Brooks is now and its owner did not ask for beer and wine. He said because of the types of individuals among their group who purchase wine and beer, there is a disgraceful manner in which they carry on. He said to put another beer and wine outlet in that area would place a large number of professional people who have accumulated in McKinley Heights Subdivision in jeopardy. The "C-1" Commercial zoning was discussed as to its uses.

MR. C. W. WHITE opposed the "C-1" Commercial zoning, stating he was trying to protect himself and the others in the neighborhood, and he wanted to go on record as OPPOSING this change. MR. LEONARD HILL said he had seven children, and the sale of beer in this neighborhood would not be good for the area.

MR. BROOKS said if he could get packaged beer to go, he would eliminate the possibility of putting in a cafe. He realized if he could not control consumption of liquor on his premises, that his license would be revoked.

MRS. H. L. GAINES protested the zoning, stating Mr. Brooks could control people on his premises; but he would be helpless in controlling their sitting and drinking in their cars parked directly in front of her home, and they did not want beer in their neighborhood. MR. GAINES inquired about the measurement to the church. MR. DAVIS said they were protesting within the law according to the City Ordinance and they had a petition signed by people within the 200' range. The Council wanted to go look at the area. Later in the evening the Council considered the zoning matter again. Councilman Shanks moved that the zoning be granted as requested provided it met the state law with reference to the 300' from door to door where churches are involved. The motion, seconded by Councilman White, failed to carry by the following vote:

Ayes: Councilmen Shanks, White  
Noes: Councilmen LaRue, Long, Mayor Palmer

The Mayor stated it legally could not be measured to 300'. Councilman Shanks requested that the area be measured out for verification; and if it did measure out he would call for another vote on zoning. Councilman LaRue stated

this area was a residential area. Councilman Long said she felt strongly about zoning in these areas. The Mayor also was going to suggest measuring it; and if it were within the legal distance, he said he would change his vote. Councilman Shanks moved that the Council rescind the vote and leave the application pending until a surveyor's report is received. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that action had been deferred to determine the distance between the property and the church property.

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Councilman LaRue moved that MR. JACK ANDREWARTHA be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. ANDREWARTHA invited the Council and Department Heads to the preview of the PARADE OF HOMES, Friday night.

Councilman LaRue moved that MR. BOW WILLIAMS be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. WILLIAMS inquired, with reference to Southern Union Gas Company's request for a rate adjustment, if the consumers had to pay for their lawyers and pay their dues to belong to the Civic Clubs. Mayor Palmer explained the statement brought out was the increase would include only the actual cost of the gate-rate increase plus gross receipts taxes, and would include no other costs. He explained in detail the Gas Company's request, and stated Austin's gate rate is far below that of other cities--19.5 as compared to 30 and 34 cents. He said United had asked for 34 cents, and Southern Union was able to reduce it to 19.5.

The Mayor read an invitation to the Council, the City Manager and others to participate in the Travis County Sheriff's Posse Rodeo Parade, Saturday, July 18th, and asked that notification be sent that all members of the Council had previous engagements and would be unable to be in the parade.

The Council had before it consideration of designating and naming certain areas along the shores of Town Lake as submitted by the Town Lake Study Committee. The Recreation Director stated these names had not come before the Parks and Recreation Board. He thought perhaps those names submitted would help identify the areas. The Mayor stated care would be taken that there would be no overlapping with what had already been named the Butler Civic Center. The City Manager pointed out the area designated Auditorium Shores, is in the Butler Civic Center, which was from the river to Barton Springs Road and from South First Street across the railroad track. There were no boundaries defined but that is generally the area. The City Attorney stated the resolution naming the Butler Civic Center referred to the deed for the land. Councilman Long suggested names other than

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"Auditorium Shores" and "Festival Beach" be selected. The Mayor pointed out all literature had listed the name of "Festival Beach", and that name may just be associated with that area. He suggested holding these two names for further consideration but naming the others, as they identify definite areas. Councilman LaRue stated he thought Festival Beach was a very good designation and would become more important down through the years. Following is the communication dated July 2, 1964, from the TOWN LAKE COMMITTEE:

"To the Honorable City Council  
Austin, Texas

"Gentlemen and Mrs. Long:

"The Town Lake Committee recommends that the areas along the shores of the Lake be named, for the convenience of the public and in order, in some cases, to preserve the names connected with the particular areas. Below are the names suggested by the Lake Committee. The Council is, of course, at liberty to adopt these or other names which in your good judgment you shall select.

"North Side (beginning at the east and going west)

Holly Beach - From Longhorn Crossing Dam to Power Plant  
Festival Beach - Power Plant to Interregional Bridge  
Waller Beach - Interregional Bridge to Congress Avenue Bridge  
Shoal Beach - Congress Avenue Bridge to Lamar Bridge  
Lamar Beach - Lamar Bridge to Deep Eddy

"South Side (beginning at the west and going east)

Butler Civic Center West - Barton Creek to Lamar Bridge  
Auditorium Shores - Lamar Bridge to Drake Bridge  
Longhorn Crossing Shores - East End Scottish Rite Property to  
Longhorn Crossing Dam

"Very truly yours,  
TOWN LAKE COMMITTEE  
By s/ David B. Barrow  
David B. Barrow, Chairman"

Councilman LaRue moved that the Council accept the names for the designated areas on the communication dated July 2, 1964, with the exception of "Festival Beach" and "Auditorium Shores". The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Present but not voting: Councilman Shanks

The City Manager stated the one the Committee wanted to identify the most was the one they referred to as "Festival Beach". The names selected as suggested in the letter of July 2, 1964, are as follows:

North side (beginning at the east and going west)

Holly Beach - Longhorn Crossing Dam to Power Plant  
Waller Beach - Interregional Bridge to Congress Avenue  
Bridge

Shoal Beach - Congress Avenue Bridge to Lamar Bridge  
Lamar Beach - Lamar Bridge to Deep Eddy

South side (beginning at the west and going east)

Butler Civic Center West - Barton Creek to Lamar Bridge  
Longhorn Crossing Shores - East end Scottish Rite Property  
to Longhorn Crossing Dam

Councilman Long asked for a report about the water pressure on Wheelless Lane. The Director of Water Utilities reported the most difficulty is during the peak hours, and explained what was being done to get more water into the area from a higher pressure nearby to hold the pressure up. This is a temporary situation as there is some work in progress causing the low pressure. Immediate relief would be given tomorrow, but the whole problem should be taken care of in about three weeks. The Mayor inquired about the Crestway Lines. The Director of Water Utilities stated this line was finished, and more people were taken care of than first anticipated.

The Mayor inquired if the representatives of the United States Attorney General were back from Washington on the briefing on the Civil Rights Bill. The City Attorney stated he did not believe they had returned. He said he had begun briefing the law; but his interpretation of it would not be the prevailing interpretation necessarily. Councilman Long suggested appointing the Commission and getting it started. Councilman Shanks stated there was no need of a Commission since the way everything had turned out in Austin. Councilman Long read an Article from the morning paper regarding the number of commissions that had been set up during the past 12 months. The reporter said every Mayor felt those people deserved the appreciation and support of the whole community, as they were working hard and honestly to find solutions to difficult problems; and the Civil Rights Bill of 1964 would make their business easier and they in turn would help make the new law work as Congress intended. There is now a national frame work in which to provide equal opportunity for all Americans. Councilman Shanks stated Austin was getting along so well he did not see any need of creating any commission here now. He said there was not a single complaint on the pending books, it was said those filed were withdrawn. Councilman White wanted to delay appointing a commission, as there was a question whether or not there would be a need for such. Councilman Shanks wanted to hear the interpretation of the law and then discuss what should be done. Councilman Long stated Austin does have and will always have some problems; but the best way in the world to handle them is on the local level and to keep in close touch with the situations and try to iron them out. The City Attorney stated the Council might also be interested in things not contained in the bill with respect to the particular procedure for enforcement which the U. S. Attorney General's Office intends to pursue. They have administrative procedures established; as with a bill of this magnitude and with an organization as large as the Justice Department, if they did not have some well outlined procedures to be followed in these cases that are not spelled out, that some things might be done that may not hurt anything but by doing them differently would help a whole lot. Councilman Shanks stated the Council should be thoroughly versed and know exactly what is to be done. The City Attorney stated he believed he could have a fairly complete brief on the subject by next Thursday.

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The City Manager stated the Council had indicated it would like for his office to prepare a form of questionnaire to send to the Architects who had expressed an interest in doing the work on the hospital expansion. The Assistant City Manager distributed copies to the Council Members for review. The City Manager explained this form was for information regarding the principles of the architectural firms, and a list of all of their employees here and their qualifications. Councilman Long suggested getting all the Architects in and give them about a 15 minute hearing, because the Council would have the brochures and basic information. Councilman LaRue suggested having them come in within 15 minute periods individually, and then the Council could ask certain information. The Mayor asked that these questionnaires be sent out and be returned in two weeks--July 30th. The City Manager inquired if the Council wanted him to set up these short conferences with them. The Mayor suggested waiting until after the questionnaires were returned and reviewed by the Council.

The Mayor stated it was called to the Council's attention that the Corporation Court Judge would like to take a vacation from August 24th to September 4th, and the Council was going to try to get a replacement; but in the event it did not, it would ask the City Attorney or the Judge to make some suggestions to the Council. The City Attorney stated there were several names that he would be glad to submit to the Council.

The City Manager made a report regarding the repairs at the Abattoir, stating MR. ELDRED PERRY had communicated with MR. FRANK BROOKS and with the Federal Inspectors to find out what work was going to have to be done at the Abattoir in order to keep it in operation. MR. ELDRIDGE, Construction Engineer, had worked with Mr. Perry in making some estimates on what the various items would cost. Copies of Mr. Eldridge's communication were distributed to the Council Members. The Assistant City Manager stated this report dealt with the minimum structural improvements at the Abattoir at the present time which were necessary in order to maintain Federal Inspection. These improvements would necessitate a two or three weeks shut down to accomplish the work on the third floor. The Assistant City Manager stated in addition to the cost of repairing the building there, there is needed replacement of equipment, and he discussed the cost of replacement of equipment in detail as well as other expenses as set out in Mr. Perry's memorandum, copies of which he would supply the Council. The Mayor suggested that the lessee go ahead with the expenditure of \$20,000 and their time to recover it be extended over a 20 months period. They could recover \$12,000 this year and \$3,000 next year and renew the lease. Councilman Long suggested they could spend up to \$12,000; and whatever above that be their own expense. If they want to close down, then the City would talk to someone about something else. Councilman LaRue stated the Council should discuss that with them. He did not favor spending any more money on it, and suggested that the matter be discussed with the lessees to find out if they had any solutions, and let them present their solutions to the Council. After more discussion, the Mayor asked that a meeting be set up with MR. BROOKS and those who would be involved.

The City Attorney submitted some offers on removing some houses the City had advertised for sale on one of which no bids were received at all. The City will need to move the building. MR. JESSE SHARP offered \$26.00 for the sub-standard structure at 1204 $\frac{1}{2}$  East Avenue. Councilman LaRue moved that the Council grant JESSE SHARP permission to have the house at 1204 $\frac{1}{2}$  East Avenue and demolish it for this price. The motion, seconded by Councilman Long, carried by the

following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer  
Noes: None  
Not in Council Room when roll was called: Councilman White

The City Attorney stated the high bid of \$60.00 had been received for the structure at 5009 Cameron Road and the Council had rejected this bid. An offer from MR. DON McELWREATH of \$300.00 had been received and it was recommended that this be accepted. Councilman LaRue moved that the Council accept the offer of \$300.00 for the structure at 5009 Cameron Road from Mr. Don McElwreath. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer  
Noes: None  
Not in Council Room when roll was called: Councilman White

Mayor Palmer read a letter from MRS. KATHERIN HART, Austin Public Library, enclosing a photograph of the old bakery building (Lundberg Bakery). He said the picture did not show the bay window very well, but would give an idea of how far it would extend into the sidewalk area. The Garden Club had agreed to give two small bushes in boxes for the sidewalk if permission were granted by the city. The Mayor stated the problem with which the City was confronted was granting permission for this bay window to extend out in the sidewalk area about 8" and permission for the planter boxes. The Mayor suggested the same type of insurance to indemnify the city be required. Councilman Shanks moved that the Heritage Society be permitted to proceed with their requests subject to the rules and regulations; to provide the usual insurance of \$100/\$300,000; and to meet other standards required by the city. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Heritage Society also requested parking spaces in front of the Lundberg Bakery to permit tourists and others to visit the Museum in this historic building. The Mayor suggested that some marking be made on the curb, possibly designating, "Historical Site, Lundberg Bakery, 15 minute parking". After discussion, Councilman Long moved that three visitor parking spaces of 15 minutes be designated in front of the old historical Lundberg Bakery, purely for the people that are going to visit there. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney explained the status of the restricted parking.

The City Attorney gave a report on the Gracy property. He listed the price of some property recently sold which adjoined the Gracy property. Negotiations had been made with the Gracy family for a certain amount; but continued

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negotiations enabled the City to secure a better price with certain fringe benefits. He showed on a map the 136 acres the City had recently purchased on the north side of Walnut Creek, and pointed out the 120 acres located on the south side of the creek now under discussion. Shown also was the point of intersection of the L.C.R.A. transmission line and City transmission line and an area 40'-50' wide, included in the 120 acres, which the City needs to have access to its substation site without having to build a bridge over the creek. Information had been received that the County would assist in the hard surfacing of the road at once and this location was shown on the map. The City Attorney stated the land south of the creek was necessary in order for the City to control the creek and to construct a dam and create a lake. Councilman Long inquired if the County joined with the City in building this road, would this be a joint development of the open space program. The City Attorney stated it would not be a joint development, as there would have to be a specific agreement with the County. Councilman LaRue asked if this 120 acres plus the 136 acres already purchased would be considered sufficient for the City's purposes--not including the little roadway from the Walnut Baptist Church property, and the connecting property from Mr. Whitted. The Recreation Director stated the other property that should be acquired would be the Trenckmann property. The City Attorney located on the map the Trenckmann property which was being discussed with the owners. He said a road around the edge of the Church property into the City's tract was planned. Mayor Palmer stated the Master Plan indicated a major park in that area and the Parks and Recreation Board had recommended that this type of park facility be acquired, contemplating it would be in the neighborhood of 250 acres. The Recreation Director stated this had been the recommendation all the way through. The City Attorney pointed out some conditions imposed on the lower price per acre of the 120 acre tract as follows:

1. Agreement that by January 1, 1966, the road would be built. The road is expected to be built to the substation by January 1, 1965.
2. That grazing rights be retained until the City began to use the land. The Recreation Director pointed out the advantages of having one to look after the land keeping the weeds down and lowering the possibility of brush fires, etc., until the City could go out there and develop it. This land is being purchased for the future. The City Attorney stated the owner had the property under pasture now, and the City is not obligated to fence the property until such time as the City might want a fence.
3. In connection with the naming of any park, the name of "Walnut Creek" be used in the name in some way. It would probably be called by the public something in connection with Walnut Creek anyway.
4. That this owner be permitted to retain one-half of the mineral royalty rights. Mayor Palmer stated he would be very much opposed to that condition.
5. That a line be definitely established on the basis of a survey to be made which would be the contour line of 100' horizontally from the highest high water point that would result from a dam which could be constructed at a known elevation at a designated location, west of the highway. This was a condition which the City insisted upon being imposed. There would be 100' of land

between the Gracy property and the lake. This survey may change the number of acres plus or minus. The City would have control over the lake. It is necessary for the City to do some surveying for its own purposes and the owner wanted a survey in order for him to make an exchange of property with his children, so it would be recommended that the survey be made by the City, as it would necessarily have to be made anyway.

6. Another agreement was if and when the City constructed a road on the south side of Walnut Creek, that the present owner would have access to that road by one or two points of access at his option, at locations mutually agreed upon by the City and himself.
7. This area would be used for park and municipal uses.
8. If adjoining property owners are paid more than the agreed upon price here per acre, that the Gracy's be paid on an equal basis.
9. The usual provisions of the City's drawing the deeds and making the survey.

In discussion Councilman Long inquired if these fringe benefits could not be counted as part of the purchase price, as it seemed the benefits amounted to about \$6,000. The City Attorney stated if that be the case, he would recommend that the Council turn this proposition down if it were considered that this would be additional consideration translatable into dollars. He said these were additional conditions, but not additional considerations. Councilman LaRue said he would like to state for the record that this should not be considered any additional consideration; that he very definitely did not consider this as additional consideration. The Council discussed the whole proposition quite at length. The City Attorney inquired if there were any of these conditions listed that were totally unacceptable to the Council. Councilman Long inquired about the royalty matter. The City Attorney stated he would look into this. The Mayor asked if he would and report back to the Council. Councilman Shanks stated the Council should tell the City Attorney that it wants the mineral rights. The Mayor asked if he did not want to buy it letting the owner retain half of the royalty--not the minerals. The Council discussed this, and then decided to go look at the property again.

The Assistant City Manager had a memorandum from Mr. Vickers, Manager of the Auditorium, stating the concessionaire had a request from the Local Republican Committee to increase his food and drink prices by five cents per item during the Republican Convention in September, for the purpose of raising funds for the Organization. Mr. Vickers stated this would be setting a precedent, and many organizations would be asking for the same thing, and he recommended that the request not be granted. The City Manager noted the City would not share in that additional charge. Members of the Council expressed themselves in not favoring this change of concession procedures. The Assistant City Manager stated he would advise concessionaire that this would not be permitted.

The Assistant City Manager stated Mr. Saunders received a call from MR. ROGERS WILSON, representing the Austin Jaycees, asking permission to use the City property north of Riverside Drive across from the Chamber of Commerce Building to erect a big tent 100' x 200' for a "new car show" on September 23rd-27th.

Admission would be charged and concessions would be sold, and this concession agreement would have to be worked out with Mr. Vince LaRocha. The Austin Automobile Dealers would furnish the cars for display. The Assistant City Manager stated he would recommend against using city property for commercial purposes. He said the basement of the Auditorium, the main floor of the Auditorium, or the Coliseum could be rented. Councilman LaRue noted they could rent the basement or the Coliseum cheaper than they could erect this large tent. The Assistant City Manager stated many many requests for parking on the Avenue for commercial advertising and displays consistently had been turned down by the Council. It was decided that the Assistant City Manager point out the advantages of renting the Coliseum.

The City Manager submitted sketches by BROWN & ROOT showing how circulation of water at the Power Plants in the future should be, and explained the process. Brown & Root indicated when Holly Street went into its full capacity in connection with its next unit that longer circulating patterns should be provided; and that a little peninsula should be built just south of the discharge line down the river so that the water discharge from that pipe would flow down and across the dam rather than circling back. He showed the area that would be quite a large basin, which would be good for sail boating. Councilman Long asked if this had been referred to the Town Lake architects to see if it fit into the plan. The City Manager stated an explanation should be made to them. The City Manager said it was planned to increase the capacity at the Seaholm Plant; and Brown & Root had suggested that the little peninsula at that location be extended down stream some at the time the capacity is increased. The City Manager stated he would send a copy of this recommendation to the Town Lake Committee and explain it to them.

The City Manager stated the City Attorney had a report on the real estate transaction on 29th and Guadalupe. The City Attorney showed a little sketch of the property to be exchanged stating the Scarbrough estate would pay \$500 difference and convey to the City the triangle off of Guadalupe which is needed for widening, and with a restriction in the City's deed to the Scarbrough estate, prohibiting curb cuts on 29th Street between the alley and Guadalupe. Councilman Long made inquiry about the fence and sidewalk, and this was discussed at length. Councilman Shanks suggested that the agreement include that any adjustments in sidewalks, trees, bushes, fences, etc., would be at the Scarbrough Estate's expense. After more discussion, Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute, on behalf of the City of Austin, all instruments in writing necessary to effect an exchange of land between the City of Austin and The Austin National Bank and J. W. Scarbrough, Jr., Co-Trustees under the will of J. W. Scarbrough, deceased, and The Austin National Bank, J. Chryst Dougherty, and Thomas G. Gee, Co-Trustees of the Cornelia Rice Scarbrough Trust under agreement dated June 15, 1961; conveying to said estate and said trust that certain 463.58 square feet of land out of Lot 17, Block 3, Leander Brown Subdivision, according to the map or plat thereof of record in Book 1, page 19 of the Plat

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Records of Travis County, Texas, particularly described by metes and bounds for and in exchange of that certain 50.64 square feet of land out of Lot 18, Block 3, Leander Brown Subdivision, according to the map or plat thereof of record in Book 1, page 19 of the Plat Records of Travis County, Texas, particularly described by metes and bounds, with the following conditions:

1. That the City shall receive the sum of \$500.00.
2. That covenant shall run with the land that motor vehicles shall not have access or egress across the south line of West 29th Street to or from Lots 17 or 18, Block 3, Leander Brown Subdivision (without restricting access to Lots 17 and 18 from streets or alleys other than West 29th Street).

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor urged that this be executed promptly, and the telephone poles be moved and the paving done as quickly as possible. Councilman Long inquired if a traffic light had been discussed with the Traffic Engineer. The City Manager stated it had but he had not seen the design. The Electric Department would do the light design.

Councilman Long reported she had been working on trying to figure some-way to give a few apartment house owners in the University area some relief on the garbage pick up, when they had vacant apartments. She said she had not yet figured out anything to administer this except that they sign an affidavit as to their vacancies. The Mayor stated the present ordinance provided that those who had four or more apartments could make private contracts for the garbage pick-ups.

Councilman LaRue stated the Council had said at the time the ordinance regarding the uses on Town Lake was passed that some amendments would be considered later. He asked that the City Manager give some suggestions along that line or bring it up for discussion next Thursday, or Thursday week.

Councilman Long inquired about the showing of the plans of the development of the sand beach reserve. It was stated that presentation was set for July 23rd.

Mayor Palmer stated the Council discussed Co-Chairmen of the Bond Proposal Committee and he was asked to contact MR. JOE K. WELLS, MR. BILL YOUNGBLOOD, MRS. FAGAN DICKSON, and MRS. HOMER GARRISON, and all very enthusiastically had agreed to serve. Councilman Long moved that MR. JOE K. WELLS and MR. BILL YOUNGBLOOD be made Co-Chairmen of the Men's Division of the Bond issue, public relations, etc., and that MRS. FAGAN DICKSON and MRS. HOMER GARRISON be made Co-Chairmen of the Women's Division. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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Mayor Palmer announced the M. K. & T. since it lost the mail service, would like to discontinue its passenger service between Dallas and San Antonio, as it contends it is losing around \$300,000 a year. Many people are asking that the Council write letters or express its feelings on the matter whether or not it would like to see the M. K. & T. retain that passenger service. The Mayor suggested that each Council Member inform themselves and see if the Council should take a stand on this.

The Mayor read a letter from the Housing and Home Finance, reminding the Council that the Certification period for the Workable Program for Community Improvement would expire on February 1, 1965. The Mayor asked that the Council have a report on this. The City Manager gave a brief report stating probably no difficulties would be encountered but he could not say they were up to date. This covers a Building Code, Plumbing Code, etc., which are all in progress, but whether they would be completed to meet a time schedule would not be assured however if they had not been completed, they could show a tremendous amount of progress had been made. He said a report could be made on all of these things next week. He stated progress was being made, but maybe not exactly according to a time schedule.

Mayor Palmer stated in line with the Workable Program, that the Council discuss next week the suggestions made by the Planning Director concerning employment of certain personnel.

Councilman Shanks inquired about the status of the Zoning Ordinance, and asked that a report be made as to what percentage complete the Zoning Ordinance was.

The Mayor had a petition from people in the Denson Drive and Guadalupe area asking that something be done at this intersection. They asked for a light or stop sign. They reported many wrecks at this location, and asked if the City would not do something if it would permit the people to pay for something-- lights or stop signs. The City Manager stated stop signs were authorized about two weeks ago, and they have been installed. The petition was dated June 30 but was not received in the City Manager's Office until July 6th and the stop signs had been installed subsequent to July 6th.

The Mayor referred to a letter from JUDGE TOM McFARLING, Corporation Court, requesting that a procedure be established on private concerns serving out of county warrants. Judge McFarling expressed their being pleased with outstanding local warrant service by the local Police. The Mayor noted all members of the Council received copies of this letter.

The Mayor read a letter concerning Berkman Drive from 51st Street to its intersection with Highway 290, noting this matter had been referred to the Traffic and Transportation Department and was being checked.

Councilman Long referred to a letter from MRS. MARCELLA D. SPILLAR regarding "dinky" construction, and 50' lots, in Forrest Wood Addition. The letter had been referred to the City Manager and Planning Department.

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The Mayor read a letter, dated July 2, 1964, addressed to the Council commending it on buying land for a park north of the City, but asking that Federal funds not be used.

Mayor Palmer had a letter from six residents asking that their area be sprayed to rid it of gnats, mosquitoes and flies, the area being in the 1700 block of Deerfield Drive, Fawn Drive, and one address on Sylvan Drive. The Assistant City Manager stated the requests had been referred to the Health Department, and Dr. Primer was checking them out; and if there were no objections he went ahead and authorized the spraying. The Mayor stated at one time they were brought to the Council, and approved.

Mayor Palmer read a letter sent to CHIEF DICKERSON from MR. LOUIS WUNNEBURGER, commending and expressing appreciation to CAPTAIN TROXELL and his capable staff in bringing a fire in their home under control so quickly there was no damage to the property, and stating they had occasions to observe fire departments in many cities, but none excell Austin's Fire Department.

Before the Council went into Executive Session to discuss appointments to the Bond Committee and of a Corporation Court Judge to fill in during the vacation period of Judge McFarling, it discussed the procedure of the Committee's presenting the Bond Proposal. The Mayor suggested that the program be reduced in writing where it could be presented and be easily understood, and that the items and the timing be brought out and copies of the Charts be sent to each member. Then a general meeting could be called so the City Manager and his staff could explain it all to the Committee. The City Manager stated Mr. Wilson had suggested setting up displays in the Council Room to be referred to as a "Question Clinic" where the public could come in to the front office and there would be someone available to go over the program with them and answer their specific inquiries. Councilman LaRue suggested when the Committee met, a representative from each of the Civic Clubs should be invited also. The Assistant City Manager stated he would like to get with the Co-Chairmen and go over some suggestions and ideas and see how they might want to modify them. The Mayor asked him to meet with the Co-Chairmen of both divisions and go over the matter of presentation.

The Council went into Executive Session and adjourned at 6:30 P.M. subject to the call of the Mayor.

APPROVED

*Len G. Palmer*  
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Mayor

ATTEST:

*Elvis Marsley*  
\_\_\_\_\_  
City Clerk